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EU POSTS PASS TO AGRICULTURE AND ECON
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SUBJECT: Despite Obstacles French Corn Growers
Will Plant Biotech Corn

1. SUMMARY: Despite a recent judicial decision suspending jail sentences for 49 people found responsible for test plot destruction and the absence of a French law on coexistence of biotech and non-biotech crops, French corn growers are determined to continue planting biotech corn. They planted up to 1,000 hectares in 2005 and that area may well expand in 2006, obstacles notwithstanding. END SUMMARY.

2. French farmers are increasingly interested in the agronomic and economic aspects of genetically modified corn. Their interest is understandable for several reasons. The insecticide Gaucho is no longer authorized for use in France on corn and the use of Bt corn can compensate for this. Further, some French corn growers, located primarily in the southern region of France near Spain were successful in selling their biotech corn harvest to Spanish buyers in 2005.

3. Farmers expecting to plant biotech corn again in 2006 face several obstacles. Of concern to these farmers is France's failure to provide national legislation regulating the coexistence of GM and non-GM crops and a French Court's recent suspension of penalties against activists caught destroying Monsanto's biotech test plots. Biotech research has also been subject to significant budget reduction.

4. French legislation implementing EU biotechnology regulations, though recently signed by the Prime Minister, must still pass the Conseil d'Etat (State Council) review for Constitutional compatibility before a final vote by the Parliament is possible. Thus, it is difficult to gauge a timeframe when French farmers will have guidance on coexistence. Without clear rules, those planting biotech crops face risk of liability to some growers of conventional crops.

5. The French Parliament recently organized a meeting on biotechnology, where several Parliamentarians urged the French Government to present a national legislative framework for biotechnology. The bill is expected to include a transcription into French law of the EU Directive 2001/18, rules on coexistence and a reorganization of the national evaluation system for GMOs.

6. Another threat to French biotech farmers is the continued destruction of biotech crops and test plots by anti-biotech activists. In France, open-field research on GM crops suffers from massive test plot destructions every year by activists (50 percent were destroyed in 2005), discouraging private companies and public research organizations from putting in place open field test plots. Research institutions have cut their biotech budgets and lost talent to other countries with more favorable research conditions.

7. In a further blow to biotech research, the French Criminal Court of Orleans suspended the 3-month jail sentences of 49 people found responsible for destroying Monsanto's biotech test plots in 2004 and 2005. Monsanto reacted to the decision with disappointment, reiterating that acts of destruction must be condemned, and that

the right to conduct research must be acknowledged. The public prosecutor's office and Monsanto will appeal the case.

18. The French planting seed industry (through a group of professional organizations) responded that the court's decision was not science-based and may have a significant impact on agriculture and plant biotech research in France. They added that farmers must be allowed to benefit from biotechnology as a contribution to sustainable agriculture.

Stapleton